



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APL) No.779 OF 2024

Vidya D/o. Raju Kale,
Age about 24 years,
Occupation : Labour,
R/o. Dusshera Maidan, Amravati. : APPLICANT

...VERSUS...

1. State of Maharashtra,
through Police Station Rajapeth,
Amravati.
2. Mrs. Monali w/o. Sarang Admane,
Age about 29 years,
R/o. Sainik Colony, MIDC Road,
Amravati. : RESPONDENTS

Mr. Y.S. Jaiswal, Advocate for applicant.
Mr. A.B. Badar, APP for respondent No.1.
Mr. S.V. Sirpurkar, Advocate for respondent No.2.

CORAM : VINAY JOSHI AND SANJAY A. DESHMUKH, JJ.
DATE : 9th OCTOBER, 2024.

ORAL JUDGMENT : (Per : Vinay Joshi, J.)

1. Admit.
2. Heard finally with the consent of the learned counsel for the parties.

3. This is an application seeking to quash the criminal proceeding bearing Regular Criminal Case No.1768/2022, arising out of Crime No.700/2022, registered with Police Station Rajapeth, Amravati, for the offence punishable under Sections 452, 427, 504 and 506 of the Indian Penal Code on account of settlement.

4. It is informant's case that on 19.8.2022 at around 7.30 p.m. when the informant lady was in her house, the applicant-accused accosted her, abused in filthy language and gave threats. So also, she entered into the house and caused damage to the door of her fridge, therefore, the crime is registered. The Police have investigated the matter and filed the charge-sheet. It is brought to our notice that in all six reports have been lodged by the informant against the applicant whilst the applicant lady has lodged report about sexual assault against the informant's husband. The parties have settled the dispute out of Court and decided to withdraw rival proceedings.

5. In accordance with settlement, the informant has filed reply stating about the settlement and no objection to quash the proceeding. The informant has appeared before us and gave no objection. The offence cannot be termed as heinous or antisocial.

In the circumstances, continuation of prosecution amounts to abuse of the process of the Court.

6. In view of above, the application is allowed.

7. The criminal prosecution bearing Regular Criminal Case No.1768/2022, arising out of Crime No.700/2022, registered with Police Station Rajapeth, Amravati, for the offence punishable under Sections 452, 427, 504 and 506 of the Indian Penal Code is hereby quashed and set aside.

8. The criminal application is disposed of.

(SANJAY A. DESHMUKH, J.)

(VINAY JOSHI, J.)